

**PATENT****REMARKS**

As discussed during the Interview, the negative limitation of "not assigned to the agent" in claims 3 and 12 has been modified to state the limitation affirmatively, viz., "that is available to be assigned to the agent." These amendments do not alter the scope of these claims. The Examiner will recall that claim 12 was previously allowed and the undersigned respectfully requests that a similar indication be provided for the claim at this time. Likewise, in the last Office Action claim 3 was indicated to include patentable subject matter but for the use of the word "employee" in the second full paragraph. The typographical error "employee" has now been changed to "agent" to address this rejection. Thus, as claim 3 is consistent in scope to claim 12, claim 3 should also be deemed to include patentable subject matter.

Claim 1 has been amended as discussed during the Interview. The subject matter of this claim and, in particular, the iterative processing described in steps (a)((i)-(ii))-(b), is neither disclosed nor suggested by the prior art of record. Thus, claim 1 should also be deemed allowable. New claim 19 has been patterned after claim 1, and it is directed to an embodiment of the invention where schedules that have already been assigned to agents may be reassigned based on the described processing. The text on page 9, line 11+ makes reference to this point, and the disclosure on page 10 concerning the "swapping" of schedules between agents provides support for the "exchanging" step (d) and several of the other limitations. Claim 19, which is narrower in scope than claim 1 discussed during the Interview, should also be deemed allowable.

To expedite matters, independent claims 2 and 10-11 have been canceled without prejudice or disclaimer, as amended claim 1 (together with independent claims 3 and 12) are deemed to describe the invention. Because claim 10 has been canceled, dependent claims 16-18 have had their dependency changed to claim 12.

Claims 1, 3-9 and 12-19 are now deemed in condition for allowance, and a Notice to that effect is respectfully requested. .

A two (2) month extension of time is submitted to extend the deadline for response through February 26, 2004.

**PATENT**

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